## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at CHATTANOOGA

SKF USA INC.	)	
Plaintiff,	)	
v.	) ) )	CIVIL ACTION NO. 1:09-CV-299 Judge Mattice/Carter
CRESWELL RICHARDSON,	)	
Defendant.	)	

## ORDER ON PLAINTIFF'S SECOND MOTION TO COMPEL

This matter came before the Court on Friday, March 21, 2010, and again on Thursday, July 1, 2010, for hearing on Plaintiff's Second Motion to Compel Defendant to Respond to Plaintiff's First Request for Production of Documents [Court File No. 38]. After fully considering the parties' submissions and the arguments of counsel:

#### IT IS HEREBY ORDERED that:

1. Plaintiff's Motion is granted with regard to Request for Production No. 3. Defendant shall produce for the time period from January 1, 2006 through the present, all documents responsive to the request, including, electronically stored documents such as e-mail, referring to or relating to the sale of SKF bearings. Further, Defendant shall submit to the Court on or before August 6, 2010, an affidavit detailing the search it has conducted for documents responsive to Plaintiff's document request describing: (1) the scope of search; (2) the persons that conducted the search; (3) Plaintiff's efforts to search its electronics databases for responsive

information; (4) the specific computers and databases that were searched; and (5) the results of

the search.

2. Plaintiff's motion is also granted with regard to Request For Production No 7.

Defendant shall produce documents created or received during the period from January 1, 2006

through the present: (1) stating the profits it derived from the sale of SKF bearings, describing

the various models of SKF bearings it has sold during the period; and (2) containing information

that provides the basis for the calculation of Defendant's profit margins, including: (a) reports

generated through Defendant's computerized record-keeping system showing the purchase price

and sale price of all SKF bearings bought and sold by the Defendant during the time period

described above; and (b) Defendant's financial statements for the years 2006-2009. The

documents produced by Defendant pursuant to this paragraph 2 may be designated Highly

Confidential.

IT IS SO ORDERED.

s/ William B. Mitchell Carter

William B. Mitchell Carter United States Magistrate Judge

- 2 -

#### AGREED AND APPROVED FOR ENTRY:

# PATRICK, BEARD, SCHULMAN & JACOWAY

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